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C O N F I D E N T I A L SECTION 01 OF 02 ANKARA 004486

SIPDIS

E.O. 12958: DECL: 08/01/2006

TAGS: [PREL](#) [PGOV](#) [TU](#) [CY](#) [EUN](#) [EU](#)

SUBJECT: TURKEY-EU: AKP GOVERNMENT SIGNS ADDITIONAL
PROTOCOL, REFUSES TO RECOGNIZE REPUBLIC OF CYPRUS

(U) Classified by CDA Nancy McEldowney; reasons: E.O. 12958
1.4 (b,d).

1. (C) Summary: By its July 29 signing of an additional protocol extending the 1963 EEC-Turkey Ankara Agreement to the EU's 10 newest members, Turkey appeared to have fulfilled the remaining pre-condition for an Oct. 3 start to accession negotiations. However, the ability of the UK as EU Presidency to hold down EU member states' reaction to an attached Turkish declaration that does not recognize the Republic of Cyprus and Turkey's determination not to open its ports to Greek Cypriot vessels absent a lifting of the Greek Cypriot embargo on northern Cyprus is unclear at this stage. End summary.

2. (U) In signing an additional protocol ("Adaptation Protocol") to the 1963 EEC-Turkey Ankara Agreement July 29, Turkey's AKP government extended the Agreement's reach to the EU's 10 newest members, including the Republic of Cyprus.

3. (U) At the same time, the AKP government issued a six-part declaration (text below, para 8) re-affirming long-standing Turkish positions that: (1) Turkey will continue to support the UNSYG's efforts toward a comprehensive Cyprus settlement leading to a new bi-zonal partnership state; (2) the Republic of Cyprus referred to in the protocol is not the partnership state founded in 1960; (3) the Greek Cypriot authorities' legal and administrative authority extends only over the territory south of the buffer zone, Turkey will continue to consider that the Greek Cypriots have no authority over the Turkish Cypriot people, and Turkey will treat the Greek Cypriot authorities' actions according to these two considerations; (4) Turkey's signature, ratification, and implementation of the protocol does not signify recognition in any manner of the Republic of Cyprus referred to in the protocol and Turkey's rights and obligations under the 1960 Treaties of Guarantee, Alliance, and Establishment continue; (5) Turkey's relationship with the "TRNC" remains unchanged.

4. (C) Discussing the Turkish declaration on the margins of an Aug. 1 meeting with EUR DAS Bryza, a visibly nervous deputy U/S Apakan, the MFA's Cyprus wallah, said Turkey had been obliged to issue the declaration but had striven to be as nuanced and non-confrontational as possible. Neither he nor DG (A/S equivalent) for the Americas Alpar could gauge what the EU reaction might be, but instead both wrapped themselves in wishful thinking that the EU would not react harshly or even issue a comment supplementary to the UK Presidency's July 29 response that the EU recognizes only the Republic of Cyprus.

5. (C) Asked how the EU might react to exclusion of Cypriot vessels from Turkish ports, Apakan argued that the Customs Union does not cover transportation or other services, i.e., Turkish trucks are restricted in their transport of goods to EU markets. Therefore, the EU should not balk. Furthermore, the Greek Cypriots have restricted Turkish Cypriot commerce since 1963. The Greek Cypriots claim to represent the whole island and the EU recognizes the Greek Cypriots as the Republic of Cyprus. How can the EU permit an embargo on one of its parts, Apakan asked. In any event, Greek Cypriot goods can enter Turkey. And if the Greek Cypriots end their embargo on the north, then, he opined, the Turkish government might well reconsider its position on port access. In this regard, Turkey's end-May proposal to open all ports in Cyprus to all goods was a reflection of Turkey's constructive willingness to find a solution.

6. (U) In a statement following Turkey's signing, FonMin Gul reiterated that, by signing the additional protocol, the Turkish government considers it has fulfilled all pre-conditions for accession negotiations to begin Oct. 3. However, Gul added that the AKP government will submit the protocol for parliamentary approval after Parliament reconvenes Oct. 1, thus appearing to signal the EU that Turkey has "options" if the negotiations do not start on Oct. 3. Turkish press broadly reported EU Enlargement Commissioner Rehn's Aug. 1 statement that no obstacles remain to opening accession negotiations Oct. 3. However, they have begun to pick up reports quoting French PM de Villepin saying that Turkey will have to recognize the Republic of Cyprus before talks can begin Oct. 3 and that the start date could otherwise be delayed. The de Villepin statement is likely further to goad those in Turkey, e.g., CHP on the left and

MHP on the right, who have accused the AKP government of selling out national interests by signing the additional protocol.

17. (U) Text of "Declaration by Turkey on Cyprus" (MFA English version):

1. Turkey remains committed to finding a political settlement of the Cyprus issue and has clearly demonstrated its resolve in this regard. Accordingly, Turkey will continue to support the efforts of the UN Secretary-General towards achieving a comprehensive settlement which will lead to the establishment of a new bi-zonal partnership State. A just and lasting settlement would greatly contribute to peace, stability and harmonious relations in the region.

2. The Republic of Cyprus referred to in the Protocol is not the original partnership State established in 1960.

3. Turkey will thus continue to regard the Greek Cypriot authorities as exercising authority, control and jurisdiction only in the territory south of the buffer zone, as is currently the case, and as not representing the Turkish Cypriot people and will treat the acts performed by them accordingly.

4. Turkey declares that signature, ratification and implementation of this Protocol neither amount to any form of recognition of the Republic of Cyprus referred to in the Protocol; nor prejudice Turkey's rights and obligations emanating from the Treaty of Guarantee, the Treaty of Alliance, and the Treaty of Establishment of 1960.

5. Turkey reaffirms that its existing relationship with the Turkish Republic of Northern Cyprus remains unchanged by becoming a party to the Protocol.

6. Pending a comprehensive settlement, the position of Turkey on Cyprus will remain unchanged. Turkey expresses its readiness to establish relations with the new partnership State which will emerge following a comprehensive settlement in Cyprus.

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